

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

RICKYE HENDERSON,

§

Plaintiff,

§

v.

1:24-CV-771-DII

HON. JAN SOIFER, et al.,

§

Defendants.

§

**ORDER**

Before the Court is the report and recommendation of United States Magistrate Judge Dustin Howell concerning Plaintiff Rickye Henderson’s (“Plaintiff”) complaint pursuant to 28 U.S.C. § 1915(e), 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas. (R. & R., Dkt. 19). In his report and recommendation, Judge Howell recommends that the Court dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B). (*Id.* at 2). Plaintiff timely filed objections to the report and recommendation. (Objs., Dkt. 21).

A party may serve and file specific, written objections to a magistrate judge’s findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de novo review by the district court. 28 U.S.C. § 636(b). Because Plaintiff timely objected to the report and recommendation, the Court reviews the report and recommendation de novo. Having done so and for the reasons given in the report and recommendation, the Court overrules Plaintiff’s objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Dustin Howell, (Dkt. 19), is **ADOPTED**. Plaintiff's complaint, (Dkt. 1), is **DISMISSED WITH PREJUDICE**.

**SIGNED** on October 22, 2024.

  
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ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE